

PATENT
Customer No. 22,852
Attorney Docket No. 2376.0006-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Reissue Application
of U.S. Patent No. 5,462,120:

Inventor: Michel Gondouin

Serial No.: 09/824,738

Filing Date: April 4, 2001

For: DOWNHOLE EQUIPMENT, TOOLS
AND ASSEMBLY PROCEDURES
FOR THE DRILLING, TIE-IN AND
COMPLETION OF VERTICAL
CASED OIL WELLS CONNECTED
TO LINER-EQUIPPED MULTIPLE
DRAINHOLES

)
)
) Group Art Unit: 3672

) Examiner: H. Dang
)
)

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MAY 24 2004

OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

SUBMISSION OF TERMINAL DISCLAIMER

Applicant submits herewith a Terminal Disclaimer in the above-referenced application in response to a telephonic interview with the Examiner. Although Applicant has previously filed a Terminal Disclaimer disclaiming the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 5,462,120, the Examiner has requested Applicant file a terminal disclaimer disclaiming the terminal part of the statutory term of any patent granted on any copending reissue applications. Applicant does not agree with the Examiner's analysis on this subject, but does agree that any reissue from the same patent will

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have the same effective life. Therefore, to move this case forward, Applicant herewith files the requested Terminal Disclaimer.

Please associate these papers with the above-identified application. The requisite fee of \$110.00 is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 12, 2003

By: 

Kathleen A. Daley
Reg. No. 36,116

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Sir:

TERMINAL DISCLAIMER

Assignee, Halliburton Energy Services, Inc., duly organized under the laws of Delaware and having a place of business at 2601 Beltline Road, Carrollton, TX 75006, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 09/824,738, filed April 4, 2001 for DOWNHOLE EQUIPMENT, TOOLS AND ASSEMBLY PROCEDURES FOR THE DRILLING, TIE-IN AND COMPLETION OF VERTICAL CASED OIL WELLS CONNECTED TO LINER-EQUIPPED MULTIPLE DRAINHOLES in the name of Michel Gondouin.

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The above-identified reissue application is a continuation of reissue application no. 08/861,457 for U.S. Patent No. 5,462,120 (the '120 patent). A title report was filed in the parent reissue application no. 08/861,457 establishing that Halliburton Energy Services, Inc. is the assignee of U.S. Patent No. 5,462,120, and reissue application 08/861,457. Applicant believes that such title report establishes ownership of the above-identified application in Halliburton Energy Services, Inc. and hereby provides a copy of that title report.

The title report shows that the '120 patent was assigned by the inventor Michel Gondouin to S-Cal Research Corporation on December 12, 1991, recorded at Reel 6081, Frame 0249. The title report further shows that the '120 patent was assigned by S-Cal Research Corporation to Halliburton Company on November 21, 1996, recorded at Reel 8251, Frame 0146. The title report also shows that the '120 patent was assigned by Halliburton Company to Halliburton Energy Services, Inc. on December 12, 1996, recorded at Reel 8535, Frame 0562. Thus, the undersigned, who is authorized to act on behalf of the assignee Halliburton Energy Services, represents that the chain of title from the inventor, Michel Gondouin, to Halliburton Energy Services, Inc., has been established in accordance with 37 C.F.R. § 3.73(b).

Assignee, Halliburton Energy Services, Inc., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. RE37,867, which is a reissue of U.S. Patent No. 5,462,120. The assignments to assignee of the '867 patent, which issued from parent Reissue Application No. 08/861,457, and the '120 patent are made of record in this application, in accordance with 37 C.F.R. 3.73(b), as set forth above.

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Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent Nos. 5,462,120 and RE37,867, and any reissue patents issuing from Application Serial Nos. 09/871,813, 09/956,806, and 09/944,115. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it, the prior patents, and any reissue patents that may issue from the aforementioned applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any of the prior or to be issued patents, as presently shortened by any terminal disclaimer, in the event that the any of the prior or to be issued patents later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37

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C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 12, 2003

By: 

Kathleen A. Daley
Reg. No. 36,116

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